

ORIGINAL
FILE

RECEIVED

DEC 24 1992

REED SMITH SHAW & McCLAY

FAX 202-457-6113
TELEX NO. 64711

1200 18TH STREET, N.W.
WASHINGTON, D.C. 20036

202-457-6100

WRITER'S DIRECT DIAL NUMBER

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY
PITTSBURGH, PA
PHILADELPHIA, PA
HARRISBURG, PA
McLEAN, VA

(202) 457-8656

December 28, 1992

Ms. Donna R. Searcy
Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

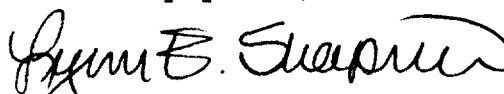
Re: Intellicall, Inc., Comments
CC Docket No. 92-237

Dear Ms. Searcy:

Transmitted herewith on behalf of Intellicall, Inc.
are an original and four (4) copies of its Comments in the above
referenced proceeding.

Should any questions arise in connection with this
filing, kindly contact the undersigned counsel directly. Thank
you for your attention to this matter.

Sincerely yours,



Judith St. Ledger-Roty
Lynn E. Shapiro

JSLR/LES/jes

No. of Copies rec'd
List A B C D E

0+4

RECEIVED

DEC 24 1992

BEFORE THE
Federal Communications Commission
WASHINGTON, D. C.

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of

Administering of the North
American Numbering Plan

)
)
)
)
)

CC Docket No. 92-²³⁷~~937~~

COMMENTS OF INTELICALL, INC. ON PHASE II ISSUES

Intellicall, Inc. ("Intellicall"), by its attorneys and pursuant to Sections 1.415 and 1.419 of the Commission's Rules, 47 C.F.R. §§ 1.415 and 1.419, hereby files its comments in Phase II of the Commission's Notice of Inquiry ("Notice") in the above-captioned proceeding. As explained more fully below, Intellicall believes that the Commission should closely scrutinize the current uses, and users of carrier identification codes ("CIC codes") to ascertain whether exhaustion of such codes can be postponed or avoided. In Intellicall's opinion, conversion to 101XXXX dialing will have a substantial, detrimental impact on the private pay telephone industry and consumers placing calls from these pay telephones, as private pay telephone equipment currently in use cannot accommodate 101XXXX dialing, and, in most cases, is not capable of being retrofitted to handle this dialing convention.

Statement of Interest

Intellicall is the leading provider of equipment to the non-local exchange company ("LEC") pay telephone industry. It has manufactured over 150,000 "smart" (coin and coinless) pay telephones for use in 46 states, and provides various ancillary services to its customers, including access to suppliers of billing, collection and validation services necessary to the daily conduct of its customers' business. Since inception, Intellicall coin pay telephones have utilized automated technology for sent paid call functions. Intellicall's second generation of pay telephones utilize "store and forward" technology for non-sent paid calls. Such "store and forward" technology uses tone and voice prompts to instruct the caller to input credit information or collect call billing options. The billing information is "stored" and subsequently "forwarded" upon command to the pay telephone provider, thus, the term "store and forward." The provider then use various tables to rate the calls and forwards its records through one or more clearinghouses to LECs for billing and collection. The policies and rules ultimately adopted by the Commission in this proceeding and subsequent proceedings will determine whether consumers continue to benefit from Intellicall's technology and competition in the pay telephone market. Therefore, Intellicall is an interested party in this proceeding.

I. There is Some Likelihood That Some CIC Codes Already Allocated Can be Recaptured

The Commission's Notice recognizes the widespread use of CIC codes for access by consumers of their interexchange carrier of choice. See Notice at ¶ 36. However, the Notice does not discuss the uses of CIC codes by LECs, interexchange carriers and others for reasons that are unrelated to access code dialing. Intellicall believes these additional uses should be evaluated to determine whether reasonable alternatives exist. If so, Intellicall believes these alternatives should be deployed, as the CIC codes used solely for these purposes may then be returned to the pool for reassignment.

One example of CIC code assignments which Intellicall believes deserving of review are those associated with LEC billing and collection agreements and tariffs. For example, LEC billing and collection contracts and tariffs require private pay telephone providers, operator service providers ("OSPs"), and billing and collection clearinghouses to obtain CIC codes as a precondition to obtaining billing and collection services.¹ As billing and collection through the LECs is the only reasonable means of billing operator assisted calls to the appropriate parties, the net result of such a requirement is that pay telephone providers, and OSPs and billing clearinghouses obtain a CIC code for these purposes.

¹ Intellicall believes it entirely possible that many enhanced service providers are similarly situated - that is, they obtained CIC codes because it was necessary to do so to subscribe through contract or tariff to LEC billing and collection services.

In numerous instances, Intellicall believes that the private pay telephone providers and OSPs have no other use for those CIC codes assigned to enable subscription to LEC billing and collection services as those providers generally are not accessed via 10XXX dialing. Clearly, billing clearinghouses which provide no telecommunications service have no other need for such codes. Such providers would perhaps be willing to surrender those CIC codes if provided absolute, concrete assurances that their billing and collection services from the LECs would not be interrupted.

Intellicall recognizes that some LECs may use these CIC codes in their billing and collection procedures; however, Intellicall believes this use should be closely reexamined, and reasonable alternatives found so that codes used merely for billing purposes, and not for access purposes, can be returned to the pool when possible.

II. Equipment Issues

Private pay telephone equipment including that manufactured by Intellicall, is currently programmed to recognize 10XXX as an access code call. Under current programming, if a call were placed using the proposed 101XXXX access code, the call would attempt to read the first five digits as an access code, and consequently, a 101XXXX call would not be completed as dialed. Adoption of a 101XXXX numbering plan is unworkable for current pay telephone software design.

To accommodate the 101XXXX sequence, pay telephone software must be revised, a task which in some cases may be impossible, and in other cases may result in the elimination of valuable existing features owing to limitations in available program memory.

There are private pay telephones currently in the field whose manufacturers are no longer in business. Consequently, there is no possibility of modifying the software of this generation of pay telephones, and therefore, a 101XXXX dialing sequence would make such phones totally obsolete. Second, there are early generation pay telephones in use which are no longer supported by their manufacturers with software enhancements. These pay telephones too would likely become obsolete under a 101XXXX dialing plan. Third, even those current generation pay telephones still supported by their manufacturers with software enhancements may have limited program memory capacity. It is likely that in many cases, software necessary to recognize the 101XXXX code may not fit within available program memory space in such instances where the memory has already been exhausted by features deemed desirable to pay telephone users.

The only options for accommodating 101XXXX dialing in such cases are to replace the electronics of the telephone entirely, or to delete an existing feature to "free up" memory. Replacing the electronics of these pay telephones is an extremely expensive proposition. Such replacement could cost hundreds of dollars per phone, depending on the pay telephone model. Deleting existing features to provide memory capacity would deprive pay telephone users of a primary benefit wrought by competition in the pay


telephone market -- expanded services designed to meet consumer needs. Moreover, private pay telephone manufacturers would be placed in the untenable position of having to choose which feature should be deleted across the board, as such a determination could not be made on a case by case basis.

III. Conclusion

In light of the potentially substantial, detrimental impact of transition to a 101XXXX numbering plan on the private pay telephone industry, Intellicall respectfully requests that the Commission carefully consider nonessential uses of carrier identification codes currently in place, and alternatives to such uses that would enable the return of these codes to the pool for assignment for access purposes.

Respectfully submitted,

INTELLICALL, INC.

By: 
Judith St. Ledger-Roty
Lynn E. Shapiro

Dated: December 24, 1992

Its Attorneys
Reed Smith Shaw & McClay
1200 18th Street, N.W.
Washington, D.C. 20036
(202) 457-8656